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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,925	09/10/2003	Basil Karanikos		3129
7590	11/17/2011		EXAMINER	
Wolf Greenfield 600 Atlantic Avenue Boston, MA 02110			DRODGE, JOSEPH W	
		ART UNIT	PAPER NUMBER	1778
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

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*Ex Parte* BASIL KARANIKOS and FREDRICK ROSSI

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Appeal 2009-003780  
Application 10/658,925  
Technology Center 1700

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ORDER REMANDING APPLICATION

Before: JAMES T. MOORE, *Vice Chief Administrative Patent Judge*

This application was the subject of a decision on appeal by this Board on July 24, 2009, which decision affirmed-in-part the rejections of the Examiner. A civil action against the Director was taken under 35 U.S.C. § 146 in the United States District Court for the District of Columbia on December 11, 2009. That action was styled *Keurig, Inc. v. Hon. David Kappos*, and is Civil Action 1:09-2353 (BAH).

On September 27, 2011 the parties to the proceeding filed a Joint Motion on Remand seeking return of the application to the jurisdiction of the Patent Examination Corps for the consideration of new evidence to be considered by the Examiner when considering patentability of the claimed subject matter.

On September 27, 2011 Judge Beryl A. Howell entered a Minute Order granting the joint motion for remand and dismissing the case without prejudice.

**ORDER**

In view of the forgoing, this application is REMANDED to the Patent Examination Corps for action consistent with the Joint Motion on remand and the Minute Order of the United States District Court for the District of Columbia.

James T. Moore  
Vice Chief Administrative Patent Judge